

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5426 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

PRASAD BIMLESH SHIVBALAK

Versus

ADMISSION COMMITTEE OF ENGINEERING COLLEGE

Appearance:

None present for Petitioner
MS MANISHA LAVKUMAR for Respondent Nos. 1 and 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 14/07/2000

ORAL JUDGEMENT

#. The petitioner sought admission in the engineering course in the State of Gujarat under the reserved quota of Scheduled Caste. The petitioner obtained certificate that he belongs to Scheduled Caste category from the officers of the State of Utter Pradesh. On the basis of that certificate the officer at Baroda has also certified him to be Scheduled Caste candidate. The admission under this category to the degree course was not given on the ground that the petitioner is a Scheduled Caste candidate

of another state. So far as admission of diploma is concerned, the petitioner has not availed of the same.

#. In the reply to the Special Civil Application, it is given out that the guidelines laid down by the State of Gujarat that under the reserved categories in the engineering course, the admission has to be given only to the local candidates has been challenged and the same has been upheld by this court also. The reference has also been made to the decision of the apex court in support of their contention. So, it is the policy of the State of Gujarat that a person belonging to Scheduled Caste / Scheduled Tribe to avail the benefit of reservation is only for the origin of State of Gujarat. The rejoinder to the reply has not been filed by the petitioner and as such the averments made therein are to be accepted. Otherwise also after passage of more than 9 years there are all possibilities that the petitioner would not have interest in this litigation. He would have been completed his study and would have been settled in his life.

As a result of the aforesaid discussion this Special Civil Application is dismissed. Rule is discharged. Interim relief, if any, granted stands vacated. No order as to costs. Copy of this order be sent to the petitioner by Registered Post A.D. However, liberty is granted to the petitioner for revival of this Special Civil Application, in case of any difficulty.

(S.K.Keshote, J.)

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